

LA REDDOLA, LESTER & ASSOCIATES, LLP
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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CHRISTINE PANZELLA, Individually and
On Behalf of a Class of All Other Persons
Similarly Situated,

Plaintiff,

-against-

COUNTY OF NASSAU, NASSAU
COUNTY SHERIFF'S DEPARTMENT,
MICHAEL J. SPOSATO, Individually and in
his Official Capacity, ROBERT
MASTROPIERI, Individually and in his
Official Capacity, UNKNOWN SHERIFF
#1, with Shield # 116 and UNKNOWN
SHERIFFS #2 through 4

Defendants.

Case No: 13-CV-5640 (SJF) (WDW)

**PLAINTIFF'S PRELIMINARY SET OF INTERROGATORIES,
REQUEST FOR PRODUCTION OF DOCUMENTS AND
NOTICE OF ORAL DEPOSITION OF DEFENDANT ROBERT MASTROPIERI**

Pursuant to Fed. R. Civ. P. 33, Plaintiff, CHRISTINE PANZELLA, hereby requests that Defendants, COUNTY OF NASSAU, NASSAU COUNTY SHERIFF'S DEPARTMENT, MICHAEL J. SPOSATO, Individually and in his Official Capacity, ROBERT MASTROPIERI, Individually and in his Official Capacity, UNKNOWN SHERIFF #1, with Shield # 116 and UNKNOWN SHERIFFS #2 through 4 (hereinafter "Defendants") within thirty (30) days after service hereof, serve upon the undersigned sworn answers to each of the following interrogatories:

In answering the Interrogatories, Defendants are required not only to furnish information available from their own knowledge, but also information which is in possession of their attorneys, investigators, agents, or anyone else acting on their behalf.

The Interrogatories herein are continuing in nature. If at any time after service of your answers hereto and prior to the trial of this action, you obtain additional information responsive to any of the interrogatories, you shall promptly, and in no event later than five (5) days before trial, serve supplemental answers setting forth such additional information.

DEFINITIONS AND INSTRUCTIONS

1. The uniform definitions in discovery requests contained in Local Civil Rule 26.3 , are hereby incorporated.

2. “Longarms” for purposes of these discovery requests are defined as rifles and/or shotguns confiscated pursuant to an order of the Family Court by the Defendants.

3. “Policy” is defined in paragraph 49 of the Class Action Complaint, as the policy to retain all surrendered Longarms unless and until the owner obtains a Court Order compelling the Sheriff to return the property. [Docket Entry 1]

4. Any Document required to be identified in response to these Interrogatories and requests for production of Documents, which Defendants believe are protected by the attorney-client privilege or other exclusionary rule, shall be listed and identified with sufficient clarity and definiteness as to enable Plaintiff to identify the Document accurately in a notice to produce, and defendant shall also provide an appropriate explanation of the exclusionary principle claimed in respect of the Document.

INTERROGATORIES

1. Identify all Longarms retained by the Defendants pursuant to an order of the Family Court which is now expired or has been dismissed, since this Policy was commenced.
2. Identify the owner of the Longarms retained by the Defendants by name and address since this policy was commenced, which have not been returned to the owner.

REQUEST FOR PRODUCTION OF DOCUMENTS

Plaintiff, CHRISTINE PANZELLA, hereby requests that Defendants permit Plaintiff to inspect and copy at the Offices Of La Reddola, Lester And Associates, LLP located at 600 Old Country Road, Suite 224, Garden City, New York 11530 on the 15th day of November 2013, of the following Documents and things in accordance with Rule 34 of the Federal Rules of Civil Procedure.

1. All Documents memorializing all requests for return of the Longarms identified in Interrogatory Number 1 above by their owners since the Policy began.
2. All Documents related to the seizure, surrender, transfer, retention, disposition or return of the Longarms, since the Policy began.
3. All Documents related to the Policy for transfer, retention, disposition or return of the Longarms.
4. All Documents memorializing firearms, shotguns and rifles that were returned.
5. All Documents memorializing firearms, shotguns and rifles that have not been returned.

NOTICE TO TAKE ORAL DEPOSITION OF ROBERT MASTROPIERI

PLEASE TAKE NOTICE, that in accordance with Rule 30 of the federal rules of civil procedure, the undersigned hereby demands to take the deposition of NASSAU COUNTY DEPUTY SHERIFF ROBERT MASTROPIERI represented by you concerning all the relevant facts and circumstances in connection with the above captioned matter as set forth in the pleadings herein

The said deposition will take place at the offices of Lareddola, Lester & Associates, Llp, 600 Old Country Road, Suite 224, Garden City, New York 11530, at 10:00 a.m. On November 22nd, 2013.

The said person to be examined is required to produce at such examination all memoranda, reports diagrams, measurements, books, notes, notations, records, memoranda, supply records, inventory records, accident reports, daily logs, daily work records, photographs, documents, correspondence, maps, charts, diagrams and other writings, papers and other materials in the possession of this defendant and relevant to the issues herein.

In the event you cannot produce NASSAU COUNTY DEPUTY SHERIFF ROBERT MASTROPIERI to be examined in compliance with this notice, will you please advise us immediately so that arrangements can be made for a time and place agreeable to all parties.

Dated: Garden City, NY
October 30. 2013

LA REDDOLA, LESTER & ASSOCIATES, LLP

/s/ Robert J. La Reddola

By: Robert J. La Reddola (RJL 6501)
Attorneys for Plaintiff Christine Panzella
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